

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

DENNIS RAY RIGSBY, JR. )

Plaintiff, )

v. )

Case No. CIV-21-835-R

SHELLIE SIMMONS, et al., )

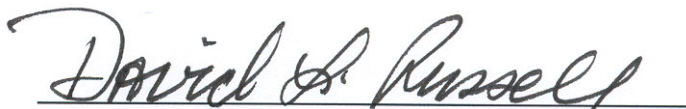
Defendants. )

**ORDER**

This matter comes before the Court for review of the Report and Recommendation [Doc. No. 55] issued by United States Magistrate Judge Amanda Maxfield Greene pursuant to 28 U.S.C. § 636(b)(1)(B) and (C). Judge Green recommends granting Defendant Simmons' Motion to Dismiss and dismissing Plaintiff's Complaint without prejudice for failure to state a claim. Plaintiff filed a timely Objection [Doc. No. 56], but presents no persuasive argument or authority that would cause this Court to reject Judge Green's recommendation. In fact, having reviewed the Report and Recommendation and the case record, the Court fully concurs with Judge Green's analysis.

Therefore, having conducted a de novo review, the Court ADOPTS the Report and Recommendation [Doc. No. 55] in its entirety. For the reasons stated therein, Defendant Simmons' Motion to Dismiss [Doc. No. 50] is GRANTED and this action is dismissed without prejudice.

**IT IS SO ORDERED** this 19<sup>th</sup> day of October 2023.

  
**DAVID L. RUSSELL**  
**UNITED STATES DISTRICT JUDGE**